

**NOTICE OF PUBLIC HEARING
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

Pursuant to the requirements of the National Pollutant Discharge Elimination System (NPDES) permitting program for the discharge of wastewater to navigable waters, the California Regional Water Quality Control Board, San Diego Region (Regional Board) intends to consider the following NPDES permit actions:

1. Adoption of an Order Ratifying Executive Officer Action Making Minor Modifications to Order No. R9-2004-0154, NPDES No. CA0001368, Waste Discharge Requirements for Duke Energy South Bay, LLC, South Bay Power Plant, San Diego County (Tentative Order No. R9-2009-0178)
2. NPDES Permit Rescission: Waste Discharge Requirements Order No. R9-2001-0237, NPDES No. CA0109355 for Hubbs SeaWorld Research Institute, Leon Raymond Hubbard, Jr., Marine Fish Hatchery, San Diego County (Tentative Order No. R9-2009-0090)

The Regional Board wishes to obtain public input on these matters. The Regional Board may hear oral testimony and consider written comments associated with the above listed proposed actions at its meeting on December 16, 2009 beginning at 9:00 a.m. in the Regional Board Meeting Room, 9174 Sky Park Court, San Diego, California.

Interested persons are invited to attend to present testimony. Oral statements will be heard, but for the accuracy of the record, important testimony should be in writing.

To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 P.M. on Tuesday, December 1, 2009. Written comments received after 5:00 p.m. on Tuesday, December 8, 2009 will not be provided to the Regional Water Board members prior to the hearing. Written testimony must be mailed, faxed, or delivered to the Regional Board's office at:

9174 Sky Park Court, Suite 100
San Diego, CA 92123
Phone: (858) 467-2952
FAX: (858) 571-6972

Testimony may also be submitted by e-mail subject to the above time deadlines and as long as the total submittal (including attachments) does not exceed five printed pages in length. E-mail testimony must be submitted to:

RB9agenda@waterboards.ca.gov to ensure consideration by the Regional Water Board. Insert the word "Agenda" in the subject line.

Pursuant to Title 23, California Code of Regulations, Section 648.2, the Regional Water Board may refuse to admit written testimony into evidence if it is not submitted to the Regional Water Board in a timely manner, unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would create an unreasonable hardship.

Information related to these matters is currently available and may be reviewed at the Regional Water Board's office or on the Regional Water Board's web page at <http://www.waterboards.ca.gov/sandiego>.

For information regarding action Item 1 above, please contact Mrs. Kristin Schwall at (858) 467-2345 or by email at kschwall@waterboards.ca.gov. For information regarding action Item 2 above, please contact Ms. Joann Cofrancesco at (858) 637-5589 or by email at jcofrancesco@waterboards.ca.gov.

Please bring the foregoing to the attention of any person known to you who would be interested in these matters.

JOHN H. ROBERTUS
Executive Officer
November 9, 2009